Document #598 Keeler, Bruce Red River Canoe Company

From: redriver [redriver@redrivercanoe.com]
Sent: Thursday, February 17, 2005 7:48 PM
To: moabcomments
Subject: Atlas Tailing Comments

Department of Energy, Atlas EIS Comments,

As a River Outfitter who operates on the Colorado River adjacent to and below the location of the Atlas tailings I must strongly recommend that the tailings be moved away from the Colorado River flood plain. My day trip business by canoe from the boat ramp above the tailings to several destinations several miles below the pile has stopped being a viable business option since the official reports have come out. The Moab area is tourist based and keeping the tailings in place will harm our current local economy.

I also serve as the Mayor of the Town of Castle Valley located approximately 16 miles from the pile. We shop for our groceries and all necessities in Moab so our concern is very personal here also. The Town Council has voted to support a resolution promoting the moving of the pile north of Moab.

There are several other points that need to be considered in the choice to relocate the tailings pile. The amounts of ammonia, radium, lead and others are too high to leave in the flood plain because no one can account for disaster related to flooding from a major regional river system. We have a responsibility to the future generations to leave them with clean, safe water not water contaminated by nuclear waste. The health of the Moab Community is also tied to the moving out of their "air space", not to mention the current and future down stream users. Health and safety should hold sway over cost, although we should try to keep the necessary costs as low as possible. This would lead to moving the pile north to Klondie Flat.

Moab has produced this waste to help with the cold war and is still willing to keep the waste locally, it just needs to be moved away from the Colorado River.

Thanks for your consideration.

Bruce A. Keeler
Mayor, Town of Castle Valley
General Manager/Owner Red River Canoe Company
Castle Valley, Utah

Document #602 Paterson, Lisa Individual

From: Lisa Paterson [lpater1@hotmail.com]
Sent: Thursday, February 17, 2005 9:08 PM
To: moabcomments
Subject: Atlas Tailings Removal
To Whom It Concerns:

Thank you for accepting my comments on the safe removal of the Atlas tailings. The tailings are leaking ammonia and radioactive waste into the Colorado River now. It has been demonstrated that a large flood could carry a significant amount of radioactive tailings down the Colorado River thus contaminating drinking and irrigation water. Capping the tailing on site will not eliminate this possibility. Therefore, the tailings must be moved.

It is the removal of the tailings that concerns me as a citizen of Moab. To insure the safety and health of all citizens of the Moab Valley and our tourists, the removal of the tailings must be done in such a way as to produce NO DUST. Some sort of negatively pressured building must be erected in which the tailings will be scooped into whatever vessel used to carry them north to the repository. The train cars/trucks or whatever is used to transport the tailings must also be sealed so well that no radioactive tailings are allowed to escape.

It does no good to move the tailings for the safety and benefit of those downriver at the expense of Moab citizens and our tourist economy. Please! remove them without allowing radioactive dust to escape.

Thank you.

Sincerely,
Lisa P Paterson

Document #662 Roberts, Harold International Uranium (USA) Corporation

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Kym Bevan

From: Harold R. Roberts [hroberts@intluranium.com]
Sent: Friday, February 18, 2005 4:58 PM
To: moabcomments
Cc: Ron Hochstein
Subject: Comments on Moab Draft EIS

EIS Comments International Ura...

Gentlemen:

Attached as a MS Word document are comments from International Uranium (USA) Corporation on the Draft EIS for the Moab Uranium Mill Tailings Project. A hard copy of these comments will be sent by regular mail.

Harold R. Roberts
Vice President - Corporate Development
International Uranium (USA) Corporation
(303) 389-4160

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Remediation of the Moab Uranium Mill Tailings
Draft Environmental Impact Statement

Comments from International Uranium (USA) Corporation
1050 Seventeenth Street, Suite 950
Denver, Colorado 80265

International Uranium (USA) Corporation ("IUSA") has reviewed the Draft Environmental Impact Statement ("EIS") on Remediation of the Moab Uranium Mill Tailings and has the following comments and concerns on the content of the Draft EIS. Our comments are divided into two categories; general comments that address concerns that are found in numerous locations within the EIS, and individual comments that address specific issues that are referenced by section and page number.

GENERAL COMMENTS:

Truck Option

IUSA will not be making any comments on the Trucking Option to the White Mesa Mill. Our initial analysis of the project, and the historical opposition to trucking of the Monticello tailings to the White Mesa Mill, caused us to conclude that this option is not viable for the Moab Tailings. IUSA did not propose the Truck Option and does not support further evaluation of this option at this time.

Cultural Resources and Traditional Cultural Properties

Potential impacts to cultural resources for all options are referenced in numerous places in the EIS, with DOE stating that the greatest impacts will be from the White Mesa slurry pipeline option. The EIS indicated that up to 121 eligible sites could be impacted from the White Mesa slurry pipeline option. The majority of these sites are projected to be along the pipeline route. DOE acknowledges that no field surveys were conducted along the proposed pipeline route and that the number of cultural sites is based on an estimated average density of sites in the project area. DOE's proposed route description confirms that the majority of the pipeline route will be within or adjacent to existing pipeline rights-of-way, highway rights-of-way, or through areas previously disturbed by agricultural activity. These areas will have already been cleared of cultural sites or in the case of agricultural land, the cultural sites will most likely have been disturbed by the agricultural activity. In addition, DOE's analysis does not take in to account the flexibility of pipeline construction to avoid cultural sites through adjustments in routing. For these reasons, IUSA believes that the potential impact to cultural resources along the pipeline route is grossly overstated in the EIS. Even though

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the distance to the White Mesa Mill is further than the other pipeline routes, IUSA believes impacts to cultural resources will be no greater than the other alternatives. DOE must take into account the ability to avoid cultural resources through the flexibility of pipeline routing that is not available for highway and railroad construction.

The cultural sites that exist on the White Mesa Mill site have been well documented, and the potential impact to those sites was included in the original Environmental Statement, and subsequent Environmental Assessments, supporting the construction and licensing of the facility. The previous operator of the White Mesa Mill (Energy Fuels Nuclear, Inc.) took great care in preserving and protecting existing sites on the property and altered construction plans when possible to avoid sites.

All of the sites which may be impacted by the construction necessary to accept the Moab tailings were also included in the original site evaluation. Therefore, the DOE should not consider these in the evaluation of the White Mesa site unless they are outside of the already licensed area. The DOE EIS should only consider incremental impacts to the White Mesa Mill site, which will be minimal.

While it is possible that some existing sites will be disturbed as a part of future construction on the White Mesa Mill site, excavation or mitigation of cultural resource sites is not without recent precedent. The State of Utah provided IUSA a list of authorized archaeological projects in San Juan County. The list includes all known projects since the State began keeping records through to the year 2002. The list includes not only the excavations on White Mesa, but also several listings for highway improvement projects on Highway 191, State Road 95 and Comb Ridge, Recapture Dam pipeline project, City of Blanding 4th Reservoir Project, the DOE's Monticello project, mitigation efforts for Union Oil, several excavations at national parks and recreation areas, reference to several burials, as well as references to excavations conducted by the Edge of the Cedars Museum, and State of Utah agencies and universities.. The recent examples of archaeological excavations in conjunction with other projects should be acknowledged by DOE as a common occurrence in San Juan County and activities at the White Mesa Mill site are not unique in any regard. DOE statements in the EIS lead the reader to conclude that the potential to impact cultural resource sites will make the White Mesa pipeline option impossible to permit.

While IUSA is respectful of Native American history and beliefs, the lack of protest by the local Native American community on destruction of cultural sites on other recent projects, including the up-grades to Highway 191 through the White Mesa community leads IUSA to believe that the protests regarding the potential impact to cultural sites, as a part of the Moab tailings project, is a reflection of broader objection, by a small segment of the Native American community and its non-Native American supporters, to the operations of the

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White Mesa Mill. The lack of similar objection on recent projects by the local Native American community should be noted in the EIS and DOE must defend why the impacts to cultural resources are so unique to the White Mesa Mill.

The State of Utah has historically been in support of the archaeological projects on the White Mesa Mill site. In a letter written to the NRC in the early 1980's, J. Phillip Keene, Executive Director and Utah State Historic Preservation Officer stated that the work on the White Mesa Mill site **"undertaken by the State Archaeologist was at the insistence of and with the complete cooperation of Energy Fuels."** The letter further states that, with respect to the recovery of archaeological information, **"the significance of these sites lies not with their becoming public attractions or monuments, but rather with the information they have yielded about certain prehistoric cultures. Sites of this nature are plentiful throughout the southeastern part of Utah, but have not been tested. It is only the opportunity presented by the desire of Energy Fuels to build a uranium mill in this area that permitted us to devote the time and energy to a thorough study of such sites."** Mr. Keene concludes that **"there is no doubt in my mind that the proposed project should go forward and that in doing so will recover significant scientific data which could not be recovered if the project didn't proceed."**

During this same time period David Madsen (the Utah State Archaeologist) is on record, in a response to a question concerning whether the sites were worth preserving, as stating **"that these sites are not unique and that sites of this nature are plentiful throughout southeastern Utah." He supported this by stating that there are 25,000 recorded sites in Utah and 8,000 of these are in San Juan County. "In fact, he added, because of the heavy prehistoric population in this region, it is virtually impossible to find an area that was not similar."**

This supporting documentation has previously been provided to DOE by IUSA. IUSA believes that DOE should fairly assess the potential impacts to cultural resources posed by the White Mesa slurry pipeline option, and justify it's conclusion that any such impacts are unique, unacceptable and pose unusual issues for the Native American community.

Project Costs

The lack of cost detail provided in the EIS makes it impossible to reasonably evaluate the alternatives. The EIS cost estimate for the slurry pipeline option to White Mesa is more than double the estimated costs provided to the DOE by IUSA for the construction and operation of the slurry pipeline, the slurry preparation plant and the disposal cell at the White Mesa site. Without additional cost information it is difficult to evaluate whether the White Mesa option has been fairly evaluated.

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Water Requirements

The EIS estimates that over 400 gallons per minute of makeup water will be required for the slurry pipeline option. This appears to be significantly higher than previous estimates done by IUSA, especially considering that:

- the majority of the existing tailings material is most likely higher in moisture content than the projected optimum moisture for final disposal; and,
- the majority of the water used for slurry transport will be re-cycled back to the Moab site for re-use in the slurry operations.

The EIS is incorrect in the statement that the White Mesa slurry pipeline option will require the same amount of Colorado River water as the other off site pipeline options (see Figure 2-46). In fact, selection of the White Mesa slurry option reduces the demands on the Colorado River relative to the other options. The majority of the water required for the White Mesa option will come from existing sources controlled by IUSA on the Mill site or from IUSA's water rights from Recapture Reservoir. The benefits of reducing the water demands on the Colorado River by selection of the White Mesa slurry pipeline option needs to be clearly stated in the EIS.

Furthermore, IUSA believes that the need for large quantities of water for construction of the disposal cells and dust control at the disposal site has not been addressed. The White Mesa Mill has an adequate supply of water for all needs. The source, cost, potential difficulty in obtaining this water, and the cumulative impacts to local water sources have not been addressed for disposal of tailings at the other two off-site locations.

Schedule

The schedule presented for the two other off-site locations appears to be overly aggressive given the need to fully develop the infrastructure at these locations and to complete the necessary studies and permitting efforts to begin construction. DOE needs to justify why the normal permitting process will not be necessary for these sites. If DOE considers these schedules accurate, the licensing requirements for the White Mesa Mill site will be shorter than the greenfield Klondike Flats and Crescent Junction sites because the site is already licensed to dispose of uranium mill tailings.

DOE also needs to more fully evaluate the effects on the schedule for the trucking options during the summer months when tourist traffic is at its peak.

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Tailings Conditioning

DOE has acknowledged the need to dry the majority of the tailings material prior to transport to the off-site locations by the truck or train option. The time required to dry the material may be correct for the summer months of the year, but 3 to 7 days seems overly optimistic for the late fall, winter and early spring months. A single thunderstorm could cause a significant reduction in production rates from the site. DOE needs to include contingencies in the project schedule for the truck and rail options for difficulties in getting the tailings material dry enough for transport and placement.

IUSA is also concerned that the DOE has not properly accounted for the reduction in potential radon emanation for the slurry pipeline option as a result of the elimination of the 50 acres of drying areas at the Moab site, which are not required.

Project Benefits

A potential benefit of the White Mesa slurry pipeline option that was mentioned, but only briefly, is the ability of the White Mesa Mill to process the recycle water to recover uranium. At the present time uranium prices have increased to over $20.00 per pound, which are at levels not seen in over twenty years. The United States currently consumes approximately 60.0 million pounds of uranium annually and produces only 2.0 million pounds. As a result, the country is very reliant on external sources to provide fuel for its commercial nuclear reactors that provide nearly 20% of the country's electrical power. Although it is difficult to accurately determine the potential amount of uranium which could be recovered from the tailings, the ability to pursue this with the White Mesa option needs to be discussed in further detail and should be a potential issue for consideration in the relocation of the pile.

SPECIFIC COMMENTS:

Page 1-12 DOE has been repeatedly asked during public meetings to include the potential of re-use of the slurry pipeline in the evaluation of the off site alternatives. The EIS mentions the potential long term use of the slurry pipeline system after the completion of the project however it discounts the need to do the study and potential impact of the infrastructure due to the perceived speculative nature of the use of the pipeline system. Preliminary engineering indicates that the contamination concerns raised by DOE are speculative, and that with minimal additional engineering, this perceived issue could be eliminated.

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The long-term socioeconomic benefit of the pipeline infrastructure for San Juan County is significant and should not be discounted. The ability to turn short-term expenditure for the relocation of the tailings pile into a long-term economic benefit for one of the most depressed counties in the United States should not be eliminated with little to no analysis. San Juan County is very reliant on the agricultural industry, which over the past several years has been nearly decimated due to the lack of water in the area. The ability to provide another more stable source of water for irrigation, beyond a normal reliance on surface run-off and collection, would result in a significant increase in the number of irrigable acres and overall productivity of the agricultural industry in the area.

Water rights from the San Juan River currently go un-used and could be transferred to the Colorado River because of the common collection point at Lake Powell. Use of these water rights in the areas surrounding the communities of Blanding and White Mesa could dramatically affect the economies and well being of the area residents. DOE should include this potential benefit in the evaluation of the slurry pipeline option to White Mesa.

Page 2-29 DOE should evaluate the pipeline diameter based on an engineering analysis of the construction and operating costs of the pipeline. Selecting the pipe size based on matching an alternative schedule may not yield the most cost effective option.

Page 2-56 The addition of electrical substation upgrades at the White Mesa Mill site will not be necessary unless the Mill is also processing uranium ore in the conventional Mill circuit.

Page 2-62 IUSA's pipeline consultant did not specify the need for aerial crossings along any of the pipeline route. Exposing the pipeline at any point along the route may be un-advisable due to the issues of vandalism and mechanical damage acknowledged by DOE.

Page 2-88 Table 2-21 is misleading. DOE should separate the equipment required for construction from that required for operation and present the information in two tables.

Page 2-118 The reference to "minor geologic instabilities" on the White Mesa site is misleading. This statement could lead the reader to believe that the final disposal cell could fail when in fact the only issue is the potential for erosion or sloughing of the canyon walls to the west of the site. DOE needs to clarify the basis for this statement or remove it from the text.

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Under the Air Quality discussion, DOE needs to clarify that the potential for greater emissions on the White Mesa option is for the truck option only.

Page 2-120 The reference to wetlands on the White Mesa site is misleading. The only areas qualifying as a wetland are the wildlife diversion ponds on the east edge of the property. These areas would not be affected by the Moab project.

Page 1-122 Figure 2-47 is inaccurate in that it indicates a large area of new disturbance for the disposal cell on the White Mesa site. The original Environmental Statement for the White Mesa Mill evaluated the potential disturbance of all but 30 acres of the area projected to store the Moab tailings. This Figure should be revised to indicate only the additional disturbance caused by the Moab tailings.

Page 2-125 The visual impacts from the slurry pipeline are overstated. The majority of the pipeline route visible from Highway 191 will be adjacent to or within existing pipeline rights-of-way that have been previously disturbed. The southern part of the pipeline route is either well away from the highway or crosses agricultural land. This text needs to be changed to accurately reflect the minimal visual impact for the White Mesa slurry pipeline option.

Page 2-135 In Figure 2-61 the DOE indicates a rate of fatalities from pollution health affects for the White Mesa Slurry pipeline option. This is the only option which indicates the potential risk from pollution health effects and there is no mention or discussion of this risk in the text. The rate should be no different than the rates for other pipeline options.